Planware

St Andrews Castle 33 St Andrews Street South Bury St Edmunds IP33 3PH

Wiltshire Council

County Hall

Bythesea Road

Trowbridge

BA14 8JN

Date: 22/08/2023

Dear Sir/Madam,

British Heart Foundation, Unit 2, Castlemore Retail Park, Warminster, BA12 9FE

This letter supports an application by WES No1 Ltd for the change of use of the British Heart Foundation from Class E to a mixed restaurant and takeaway (Sui Generis).

The application is accompanied by:

- Site Location Plan
- Site Block Plan
- General Arrangement Plan
- CIL Form

WES No1 Ltd own and operate Castlemore Retail Park. The British Heart Foundation lease expires in January 2024. The proposal seeks to provide greater flexibility within the use class to re-let and market the unit, whilst also providing a broader range of uses within the wider retail park, adding to the overall retail and leisure offering. It is anticipated that this application will allow the unit to be re-let quicker, hence avoiding having an empty unit on the retail park for an unwarranted length of time.

The Application Site

Castlemore Retail Park is located to the east of Warminster Town Centre, just south of the train station. The site is located outside of the Warminster Conservation Area.

The unit forms part of an existing retail terrace with Argos, benefiting from the shared car park and cycle parking outside of the front door and the shared service yard to the rear.

The unit has a GIA of 571sqm.

Site History

18/07718/ADV - Install 2 no. illuminated fascia signs (front and side elevation) and 1no. non illuminated sign (rear elevation) – Approved

W/11/01905/ADV - 2 illuminated signs ; 4 non illuminated poster signs - Approved

The Proposal

This application seeks the change of use of unit 2 from Class E to a mixed restaurant and takeaway (Sui Generis). The proposal seeks to allow flexibility for the unit to operate as a restaurant with a higher level of takeaway.

It is envisaged that any associated HVAC will be conditioned, so that a design can be worked up in future.

Use Class Order

On 1st September 2020, the Use Class Order was amended to incorporate a number of uses into Class E, including A1, A2 and A3. A4 and A5 uses are now Sui Generis.

National Planning Policy

The NPPF was published on 20th July 2021.

Chapter 2 outlines the broader objective of achieving sustainable development through the three pillars, with the presumption in favour of sustainable development being defined in detail in Paragraph 11. This states that decision takers should approve development proposals that accord with an up-to-date development plan without delay.

Paragraph 81 outlines that planning decisions should help create the conditions in which businesses can invest, expand and adapt. It confirms that significant weight should be placed on the need to support economic growth and productivity. This is particularly relevant to allow businesses and landlords to adapt to evolving business models and relevant shifts within the market.

Paragraph 86 identifies that planning policy and decisions should support the role that town centres play, encouraging a positive approach to their growth, management and adaptation.

Local Planning Policy

The Wiltshire Local Plan includes, the Wiltshire Core Strategy incorporating saved policies from district local plans, Chippenham Site Allocations Plan, Wiltshire Housing Site Allocations Plan, Minerals and Waste Plans and made Neighbourhood Plans.

The site is located within the Settlement Boundary for Warminster. It is located within the Town Centre, in line with saved Policy SP1 of the West Wiltshire District Plan 2004.

Saved Policy SP1 of the Local Plan supports further retail development within the town centre commercial areas, providing the following criteria are met:

Aa The development forms part of the primary retail frontage;

A The development sustains the range or quality of shopping provision and does not harm the vitality and viability of these centres;

B The development is in keeping with the scale and character of the centre;

C The development is easily accessible by foot, bicycle and public transport;

D The development makes adequate provision for car parking and access.

Highways

The existing Retail Park has a total of 152 car parking spaces which are accessed from Fairfield Road. There is an existing service yard which is currently utilized for Unit 2 which is located to the rear of the Retail Park and is accessed via the customer car park from Fairfield Road.

The proposal would likely result in a relatively small increase in traffic would have likely have no material impact on the road network and would not justify any further assessment. The proposal

would likely result in a very similar level of parking demand which would have no material effect on the existing car park. The proposal would utilise the existing service yard which is suitable for articulated vehicles up to 16.6m and could therefore easily accommodate the delivery requirements for a restaurant and takeaway.

Assessment

The site falls within the Town Centre and is an existing retail use. Given the recent changes to the Use Class Order, under Class E, the unit can be operated as a restaurant with an ancillary level of takeaway without the need for planning permission. This application seeks to provide further flexibility by allowing a higher percentage of takeaway, whilst retaining a restaurant on site.

Saved local Policy SP1 supports the provision of retail development in this location. The introduction of a restaurant and takeaway will diversify the retail offering within Castlemore Retail Park and will help provide a wider range of facilities for shoppers, enhancing the overall vitality and viability of the area. The proposal seeks the change of use of an existing unit, therefore will not impact the scale and character of the centre. The site remains easily accessible by foot, bicycle and public transport and also benefits from the existing shared car park. The proposal accords with all limbs of Saved Policy SP1.

It is proposed to provide a detailed HVAC design by way of a suitably worded condition.

The proposal complies with both local and national planning policy and should therefore be approved without delay, in accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004.

Yours Faithfully,

[redacted]

Benjamin Fox

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